

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By **VICE CHAIRMAN COREY STAPLETON**, on January 20,
2003 at 8:10 A.M., in Room 317-A Capitol.

ROLL CALL

Members Present:

Sen. Corey Stapleton, Vice Chairman (R)
Sen. Keith Bales (R)
Rep. Tim Callahan (D)
Rep. Carol C. Juneau (D)

Members Excused: Rep. Stanley (Stan) Fisher, Chairman (R)
Rep. Dave Lewis (R)
Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Brent Doig, OBPP
Lorene Thorson, Legislative Branch
Marian Collins, Committee Secretary

Please Note. These are summary minutes. Testimony and
discussion are paraphrased and condensed. The time
stamp for these minutes appears at the beginning
of the content it refers to.

Committee Business Summary:

Hearing & Date Posted: Juvenile Corrections Hearing,
1/16/2003
Executive Action: None

{Tape: 1; Side: A; Approx. Time Counter: 3.5 - 30.4}

{Tape: 1; Side: B; Approx. Time Counter: 2. - 17.8}

Steve Gibson, Administrator, Juvenile Division, introduced the juvenile detention facility superintendents, gave an overview of the Division, and presented Exhibit #1.

Mr. Gibson stated that the grants presently being sought by the Juvenile Division are not to offset operating costs. The two major grants are going back to the community and private sector for local placement options. One grant application has been filed for federal drug abuse money. The bulk of that grant is a contract with the Department of Public Health and Human Services (DPHHS) and chemical dependency providers in local communities. The grant is approximately \$300,000 per year for four years. The remaining money is to bring families and providers into juvenile facilities prior to release, and also take those youth out into the communities to meet with providers in their communities before they are released. The other federal grant involves a contract to work with Missoula Youth Homes (MYH) to coordinate homes throughout the state similar to foster homes, to transition youth, primarily sex offenders, from the correctional facility to a community thirty days prior to release.

Department of Corrections budget cuts prior to and including the Special Session were approximately \$2.9 million. \$1.2 million of those cuts were in the Juvenile Division. Grants that have been received do offset many general fund costs, especially in the two secure facilities. Additional federal money available to all accredited public schools amounts to approximately \$420,000 at Pine Hills and \$25,000 at Riverside. The Division continues searching for new grants and other funding sources.

Mr. Gibson stated that the Juvenile Division is not asking the legislature for any new equipment, no additional parole officers, no new FTE's, nor any other increases other than inflationary and operating costs. **Mr. Gibson** appealed to the subcommittee to reconsider the funding requested prior to the beginning of the Legislature.

REP. JUNEAU asked how many youth are currently at Pine Hills and Riverside. **Mr. Gibson** stated that capacity at Pine Hills is 140 and currently the average daily population is 116. Capacity at Riverside is 20 and currently 11 are in the program. **REP. JUNEAU** asked how the restitution program at Pine Hills works. **Mr. Gibson** responded that the youth earn minimum wage, primarily through federal dollars such as the Youth Employment Program. There are jobs available both on the Pine Hills campus and in the

community. The community jobs associated with Pine Hills do not compete with the private sector. Eighty percent or more of wages earned by the youth goes to paying restitution to the victims. The youth are also connected to the School-to-Work Program and receive credits for such things as culinary and landscaping classes. They can also earn money through that program.

EXHIBIT(jch11a01)

{Tape: 1; Side: B; Approx. Time Counter: 18.2 - 24.5}

Chris Christians, Montana Chapter of the National Association of Social Workers, requested that funding cuts over the past year be restored as alternatives to placement in long-term secure facilities. **Mr. Christians** strongly recommended money go back to youth court placement budgets and allow probation officers to determine where the youth would best be served. With the cuts over the last year, community programs are in jeopardy. Medicaid cannot be used for someone in a secure facility. However, it can be utilized for program operation in some instances, such as in community placements. Title IV can be used in some medical-type illnesses. The youth need to be placed in community placement in order to use those funds. **Mr. Christians** reiterated the large amount of money saved by placing a youth in community placement rather than a secure facility. Federal job training funds and Work Incentive Act are for use to keep youth in school. These funds are eligible to anyone under age 22. Homeland Security is channeling a great deal of money to all states offering opportunities to tie into youth programs.

{Tape: 1; Side: B; Approx. Time Counter: 24.6 - 27.7}

Jane McCall, Montana Children's Initiative (MCI), represents fourteen children's mental health providers across Montana. MCI provides services to kids who have multi-agency needs. **Ms. McCall** stated the importance of community placements to youth of Montana who often have multiple needs, in addition to correction needs. Mental health services received 39 cuts to the budget in 2002. If the rollbacks remain, an additional \$9 million would be removed from the mental health services budget. **Ms. McCall** urged support for the juvenile program.

{Tape: 1; Side: B; Approx. Time Counter: 27.8 - 30.5}

{Tape: 2; Side: A; Approx. Time Counter: .1 - 11.2}

Al Davis, Montana Mental Health Association, suggested that "budget" cannot be separated from "program." The National Mental Health Association research from 1998 reports that over 50% of all juveniles incarcerated in the United States are suffering from a mental illness. Fifty-seven percent of those youth have previously received treatment for mental health problems. Fifty-seven percent also have a mental history that has at least one current mental disorder diagnosis. Early intervention has positive outcomes. The National Mental Health Association has concluded that 60% of mental illness can be cured or stabilized if identified early. At-risk kids will surface in all areas with the bulk ending up in the juvenile system. **Mr. Davis** urged the subcommittee to fund early intervention and support community placements.

{Tape: 2; Side: A; Approx. Time Counter: 8.4 - 11.2}

Steve Yeakel, Missoula Youth Homes, wanted to re-emphasize two points made earlier with respect to the importance of juvenile placement funds. First of all, if cuts are made in Juvenile Division placements assuming the caseload will be picked up in another program, it's probably not going to happen. Funds are also being cut in other programs. Secondly, parole officers are actively asking the Missoula Youth Homes and others to see if there are ways to get children services through Medicaid dollars. **Mr. Yeakel** asked the committee to look seriously at any reductions in juvenile placement funds.

Sarah Volesky, Swan Valley Youth Academy, stated that the Swan Valley program results in a high rate of program completion and success after release because the youth learn responsibility, are held accountable for their actions, and have close supervision. Swan Valley may have to close due to low placements. This is attributed to a lack of available funding for placements. Probation officers acknowledge many youth in need of this type of placement. Alternative Youth Adventures (AYA) is also experiencing low placement because of funding cuts in juvenile placement.

Bob Marks, President, Jefferson Local Development Corporation, (JLDC) stated the Corporation's goal is creating and retaining good jobs, as well as a good economy, for people in Jefferson County. Four years ago, Jefferson County received a grant from the State of Montana to purchase and remodel the south campus of the former Montana Development Center. JLDC obtained a lease from

the County and currently leases the space to AYA. **Mr. Marks** praised AYA for the operation of their program and how they handle youth in the program. Further reductions in an already strapped budget cause those youth not to get placed anywhere.

{Tape: 2; Side: A; Approx. Time Counter: 22.9 - 32}

Rep. Scott Mendenhall, Jefferson County House District 39, is also the Manager of JLDC and asked the Legislative Audit Division to conduct a study regarding allocating resources. **Rep.**

Mendenhall directed the committee to page 4 of Exhibit #2. Total funding for juvenile placement has gone from \$9.2 million in FY 2000 to \$6.2 million for FY 2003. The other state-run facility budgets have remained about the same. Funding cuts not only affect the youth but also the employees of agencies receiving cuts. **Rep. Mendenhall** presented a letter from Dr. Doug Nelson, and a Summary Report on Alternative Youth Adventures.

EXHIBIT(jch11a02)

EXHIBIT(jch11a03)

EXHIBIT(jch11a04)

{Tape: 2; Side: A; Approx. Time Counter: 32.4 - 32.8}

{Tape: 2; Side: B; Approx. Time Counter: 0.2 - 4.5}

Beau Snell, District Judge, Youth Placement Committee Member, stated that the Youth Placement Committee is statutorily mandated, and many youth were court-ordered to complete the wilderness program at AYA as a condition of a suspended commitment to a youth correctional facility such as Pine Hills or Riverside. On average, twelve youth per year went through the wilderness program as a result of their suspended commitment. Those twelve youth cost \$270,000 which is a savings of almost \$100,000, compared to placement in a security facility. As a result of loss of funding for AYA, 88% of the placement budget has already been spent for FY 2003, which results in the local juvenile probation office facing the probability of deficit spending.

{Tape: 2; Side: B; Approx. Time Counter: 5 - 17.4}

John Madsen, Director of Admissions, Alternative Youth Adventures, stated the intention of AYA was to provide alternatives to long-term, secure-care, state-operated facilities. **Mr. Madsen** stated that AYA has monitored two issues since opening their program. First, how effective has AYA been in

keeping those youth served from going deeper into the system. Secondly, how much effect, if any, does AYA have on the behavior of youth served once they leave the program. He referred to the 83% drop in criminal activity presented in Exhibit #4. The youth spend 60 days on the campus in Boulder, Montana where they attend classes. AYA has a cooperative agreement with Jefferson County High School and Middle School to accept transfer credits earned (minimum 2.5 credits) while attending AYA.

AYA has seen a drop of 60% in referrals from youth court since cuts in youth placement budgets and the loss of the contract during the last fiscal year. **Mr. Madsen** stated that AYA was recently forced to move the Back Country Program to Colorado, which has taken approximately twenty jobs out of Montana. These layoffs demonstrate that funding cuts not only affect the youth in need of services but also the Montana workforce. Continued cuts to the youth court budget will require judges to refer youth to out-of-state facilities or unnecessarily to youth correctional facilities.

{Tape: 2; Side: B; Approx. Time Counter: 17.8 - 26.8}

Kim Gardner, Administrator, Alternative Youth Adventure (AYA), stated AYA primarily serves youth as an alternative placement to correctional facilities. **Ms. Gardner** presented the Committee with a study on outdoor behavioral healthcare conducted by the University of Idaho which involved the youth and their parents. Outdoor behavioral health programs have been operating since the 1960s, and are credible, highly-researched, treatment intervention for high-risk youth.

EXHIBIT(jch11a05)

EXHIBIT(jch11a06)

{Tape: 3; Side: A; Approx. Time Counter: 0.3 - 19.5}

Mr. Gibson presented a chart showing the number of youth in the last five years that have left AYA and gone into secure facilities or other placements. **Mr. Gibson** urged the Committee to look at what programs work and continue to fund those programs.

EXHIBIT(jch11a07)

REP. CALLAHAN stated that, as funds are reduced for placement in communities, the number of youth in secure care will rise.

ADJOURNMENT

Adjournment: 10:45 A.M.

REP. STANLEY (STAN) FISHER, Chairman

MARIAN COLLINS, Secretary

SF/MC

EXHIBIT(jch11aad)